

**DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **MANHOLE STEP INSERT FOR PREVENTING SEEPAGE DURING MANUFACTURE OF A CAST MEMBER AND TO PROVIDE A STEP INSERT HAVING INCREASED STRUCTURAL AND HOLDING STRENGTH** the specification of which:

(check one) X is attached hereto.

\_\_\_\_\_ was filed on \_\_\_\_\_  
as App.Ser.No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign  
Priority  
Application(s)

Claimed

Number	Country	Day/Month/Year	Yes	No
Number	Country	Day/Month/Year	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of the application:

<u>60/100,234</u>	<u>September 15, 1998</u>	<u>Provisional</u>
Application	Filing Date	Status -
Serial Number		(patented, pending, or abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

LOUIS WEINSTEIN, Reg. No. 20,477  
WEINSTEIN & KIMMELMAN

Address all telephone calls to LOUIS WEINSTEIN at telephone number: 215-985-1133.

Address all correspondence to:

Louis Weinstein  
Weinstein & Kimmelman  
The Bellevue, Sixth Floor  
Broad Street at Walnut  
Philadelphia, Pennsylvania 19102

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or  
First Inventor: JAMES A . WESTHOFF

Inventor's  
Signature: James A. Westhoff Date: 9-9-99

Residence: 17 Tall Oaks Drive  
Langhorne, Pennsylvania 19053

Citizenship: UNITED STATES OF AMERICA

Post Office Address: same as above

Full Name of Second  
Joint Inventor: JAMES A. KELLY

Inventor's  
Signature: J. A. K. Date: 9-9-99

Residence: 1430 River Road  
Upper Black Eddy, Pennsylvania 18972

Citizenship: UNITED STATES OF AMERICA

Post Office Address: same as above

DOCKET: POL 3.0-036

APPLICANT OR PATENTEE: JAMES A. WESTHOFF AND  
JAMES A. KELLY

SERIAL NO. OR PATENT NO.: \_\_\_\_\_

FILED OR ISSUED:

FOR: MANHOLE STEP INSERT FOR PREVENTING SEEPAGE DURING  
MANUFACTURE OF A CAST MEMBER AND TO PROVIDE A STEP INSERT  
HAVING INCREASED STRUCTURAL AND HOLDING STRENGTH

I hereby declare that with regard to the small business concern identified below I am:

( ) the owner of the small business concern  
(X) an official of the small business concern  
empowered to act on behalf of same.

NAME OF CONCERN: POLY-TEC PRODUCTS, INC.

ADDRESS OF CONCERN: 697 Main Street,

Tullytown, PA 19007

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under 35 USC 41(a) and (b) in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this Statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled **MANHOLE STEP INSERT FOR PREVENTING SEEPAGE DURING MANUFACTURE OF A CAST MEMBER AND TO PROVIDE A STEP INSERT HAVING INCREASED STRUCTURAL AND HOLDING STRENGTH** by inventors James A. Westhoff and James A. Kelly described in

(X) the specification filed herewith  
( ) application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
( ) patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having the rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN  
( ) NONPROFIT ORGANIZATION

I acknowledge the duty to file in this patent application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING James A. Westhoff

TITLE OF PERSON SIGNING President

ADDRESS OF PERSON SIGNING Poly-Tec Products, Inc.  
697 Main Street  
Tullytown, PA 19007

SIGNATURE James A. Westhoff DATE 9.9.99